

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON DC 20554

ORIGINAL

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NOV 21 2003

Federal Communications Commission  
Office of Secretary

IN THE MATTER OF:

AMENDMENT OF SECTION 73.202(b)  
FM BROADCAST TABLE OF ALLOTMENTS  
DALLAS, OREGON

TO:

Office of the Secretary  
Federal Communications Commission  
Room TW 325  
445 12<sup>th</sup> Street S.W.  
Washington, DC 20554

Rolanda F. Smith  
Audio Division  
Federal Communications Commission  
Room 2-B450  
445 12<sup>th</sup> Street S.W.  
Washington, DC 20554

**PETITION FOR RULEMAKING**

The Northwest Community Radio Project ("NCRP"), a Non-Profit Corporation registered in the state of Oregon, hereby requests an amendment to the FM Table of Allotments, Section 73.202b, to reserve the Vacant Allotment on Channel 252C3 at Dallas, Oregon, for Non-Commercial-Educational ("NCE") purposes. This Petition is being filed in response to *FCC Public Notice DA-03-2990, September 30, 2003*. It would provide first NCE service to 8310 persons, and first or second NCE service to 45,567 persons, and meets all FCC requirements for an NCE reservation. If this reservation is approved, NCRP will file an application to construct a new station on Channel 253C3 at Dallas, Oregon.

Respectfully submitted:

Northwest Community Radio Project  
3740 SW Comus St.  
Portland, OR 97219

signed Betty McArdle  
Betty McArdle, Vice-President/Treasurer  
Northwest Community Radio Project

No. of Copies rec'd 0+4  
List ABOVE

Fm-mB  
03-431

# ENGINEERING EXHIBIT

## AMENDMENT OF SECTION 73.202(b), FM BROADCAST TABLE OF ALLOTMENTS TO RESERVE CHANNEL 252C3, DALLAS, OREGON FOR NON-COMMERCIAL/EDUCATIONAL BROADCASTING prepared for: Northwest Community Radio Project, Inc. - November 20, 2003

This Petition is being filed in response to *FCC Public Notice DA-03-2990, September 30, 2003*. The data contained herein shows that it would provide first or second NCE service to 45,567 persons, and meets all FCC requirements of an NCE reservation, as set forth in paragraphs 24 to 40 of the *NCE Second Report and Order*.<sup>1</sup>

### 1. DEMONSTRATION OF FIRST OR SECOND NCE SERVICE

As shown by **Exhibit E1**, there are significant “white” and “gray” areas in which the allotment could provide first or second NCE service. The entire Dallas 60dbu “circular” maximum class contour has 414,823 persons<sup>2</sup>. The “white area”, shaded in light yellow on the map, has 8310 persons. The four gray areas have 37,257 persons. Together, there are 45,567 persons that would receive first or second NCE service in these areas, or 11% of the total persons within the Dallas contour. Therefore, paragraph 34 of the *NCE Second Report and Order* is met, in that over 10% of the population within the proposed station’s service area would be provided first or second NCE service, and that such population is at least 2000 persons.

### 2. DEMONSTRATION OF PRECLUSION FROM ANY RESERVED BAND CHANNEL

Paragraph 35 of the *NCE Second Report and Order* specifies that five locations must be examined to show that no same-class rule-compliant facility can be authorized in the Reserved Band, to serve the community of the allotment in question. The contour map exhibits attached herein show that this requirement is also met. The first set of map exhibits, **Exhibits E<channel number>C** (ie: E201C) show a facility located at the community reference coordinates of Dallas, OR. When examined in conjunction with the **Exhibit Summary** in **Section 4** of this narrative, they show that all channels at this site would have prohibited overlap with other existing facilities.

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<sup>1</sup>18 FCC Rcd at 6703-06

<sup>2</sup>2000 Census

The numbering system of the exhibits includes the channel number, with a suffix indicating its location. C=city coordinates, N=north of city (by the required radius outlined in Paragraph 35: the 60dbu class distance minus 1km), E=east of the city by the required radius, S=south, and W=west of the city. As required by Paragraph 35, the "N, E, S, and W" locations use the maximum Class C3 class power and height (100m @25kw), while the "C" location uses the *minimum* Class C3 power and height. In each case the proposed station's protected and interfering contours are shown, with a color code that is matched by the corresponding existing stations' protected and interfering contours.

As shown by the **Exhibit Summary** contained below, many of the maps have been omitted, since prohibited contour overlaps can be imputed by the maps that are included.

### 3. CONCLUSION

All requirements for NCE reservation of the Vacant Allotment on Channel 252C3 at Dallas, Oregon, are satisfied. There appear to be no reserved-band channels that could provide same-class service to the community. A significant number of people could be provided first or second NCE service by this allotment. 34 commercial FM stations serve all or part of the gray and/or white areas with primary (60dbu) service.<sup>3</sup> In short, this area is superbly served by a plethora of commercial stations, while there is almost a total lack of non-commercial stations. Unquestionably, the public interest and necessity would be properly and equitably served by the reservation of this channel for non-commercial service. The applicant respectfully requests that the FCC modify the FM Table of Allotments to achieve this reservation.

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prepared by:

Michael D. Brown  
Brown Broadcast Services, Inc.  
3740 S.W. Comus St.  
Portland, OR 97219-7418  
503-245-6065  
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<sup>3</sup>No count was made of the AM stations serving this area

**4. EXHIBIT SUMMARY**

<b><u>Exhibit</u></b>	<b><u>Channel</u></b>	<b><u>Comments</u></b>
E1		shows white and gray areas (first and second NCE service)

**SITE: DALLAS CITY REFERENCE COORDINATES**

E201C	201	KBVM 202, Portland, OR, is short so 201 to 203 is short
E204C	204	KMHD 206, Portland, OR, is short so 202 to 208 is short
E209C	209	KWBX 212, Salem, OR is inside 60dbu so 209 to 215 is short
E216C	216	KOPB 218, Portland, OR is short so 216 to 220 is short

**SITE: NORTH OF DALLAS**

E201N	201	KBVM, 202, Portland, OR, is inside 60dbu so 201 to 205 is short
E208N	208	KMHD, 206, Gresham, OR is inside 60dbu so 203 to 209 is short
		KBPS, 210, Portland, OR is inside 60dbu, so 207 to 213 is short
E216N	216	KBOO 214, Portland, OR & KOPB 218, Portland, OR are inside 60dbu, so 211 to 220 are short

**SITE: EAST OF DALLAS**

E203E	203	KBVM 202, Portland, OR, is short so 201 to 203 is short
		KMHD, 206, Gresham, OR is short so 203 to 209 is short
E214E	214	KAJC, 211, Salem, OR, is inside 60dbu so 208 to 214 is short
		KWBX, 212, Salem, OR, is inside 60dbu so 209 to 215 is short
E216E	216	KOPB 218, Portland, OR is short so 216 to 220 is short

**SITE: SOUTH OF DALLAS**

E201S	201	KBVR, 204, Corvallis, OR, is inside 60dbu so 201 to 207 is short
E208S	208	KAJC, 211, Salem, OR, is inside 60dbu so 208 to 214 is short
E215S	215	KWAX, 216, Eugene, OR is short so 215 to 217 is short
E219S	219	KOPB, 218, Portland, OR is short so 217 to 219 is short
		KRVM, 200, Eugene, OR is short

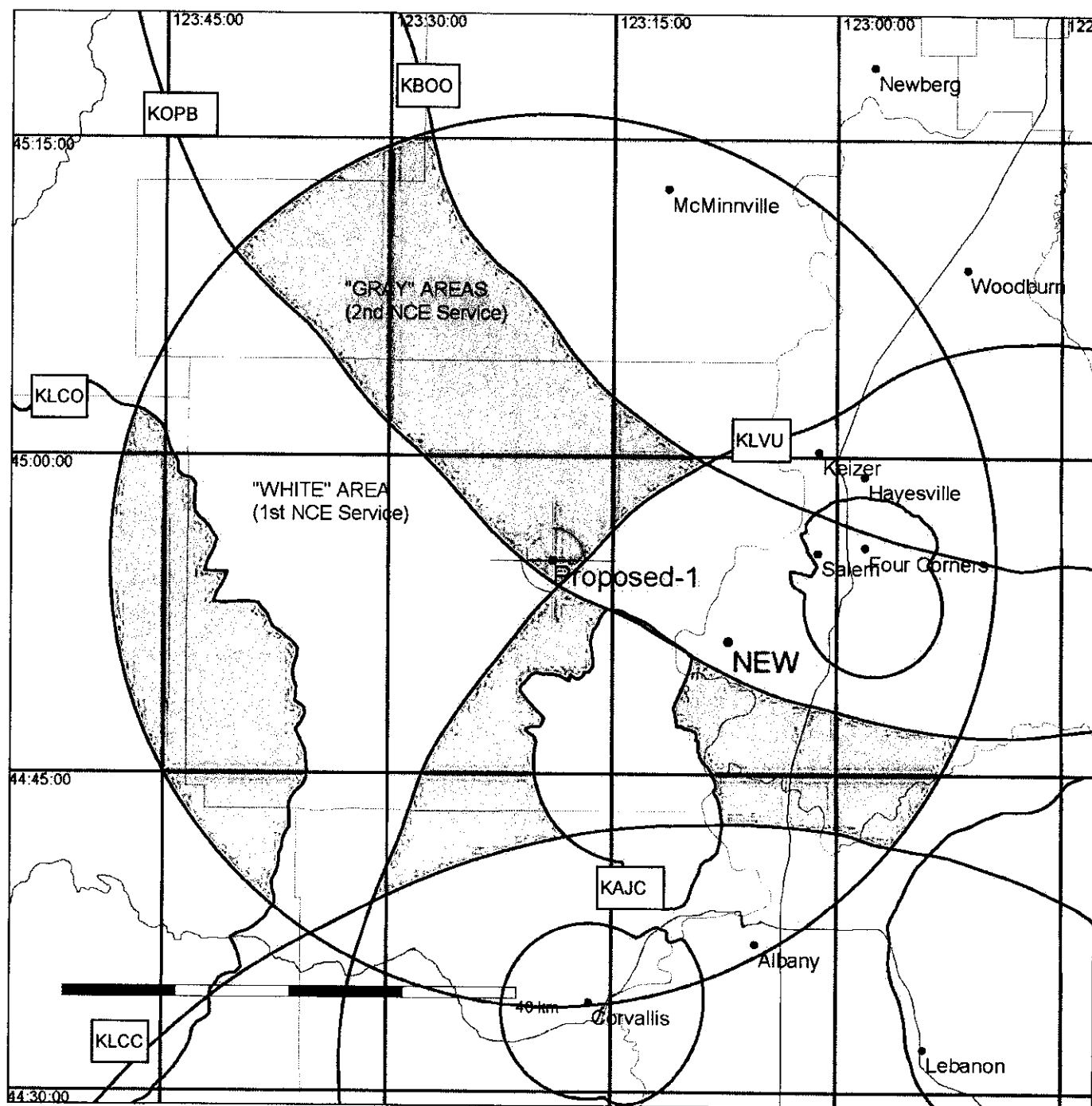
**SITE: WEST OF DALLAS**

E201W	201	970715ME, ch203, Gleneden Beach is short so 201 to 205 is short
E206W	206	980707MG, ch207, Gleneden Beach, OR, is inside 60dbu so 204 to 210 is short
E211W	211	KLCO 213 Newport, OR inside 60dbu, so 210 to 216 is short
E217W	217	KOPB, 218 Portland, OR is short so 217 to 219 is short
E220W	220	multiple shorts on screen

**EXHIBIT E1  
WHITE/GRAY AREA ANALYSIS**

Brown Broadcast Services, Inc.  
 Job: Dallas OR 252C3 Pop.fmj  
 Master Database: 2003\_Nov\_18.fmd  
 Lat: N44:55:06 Lon: W123:19:00 NAD-27  
 Scale: 1:500000  
 Channel: 252 Class: C3  
 Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved  
 Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF  
 Range: 100 km, Clearance: -0.5km  
 Comments: No Comments  
 Description:

rfInvestigator-FM Version 2.0.116  
 by rfSoftware, Inc.  
 Date: 11/20/2003 7:21:55 PM  
 Key:  
 City Grade  
 Protected  
 Co-Channel  
**1st Adj**  
 2nd/3rd Adj



## Contour Analysis EXHIBIT E201C

Brown Broadcast Services, Inc.

Job: DALLAS 201C.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W123:18:00 NAD-27

Scale: 1:1750000

Channel: 201 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/20/2003 10:54:58 PM

Key:

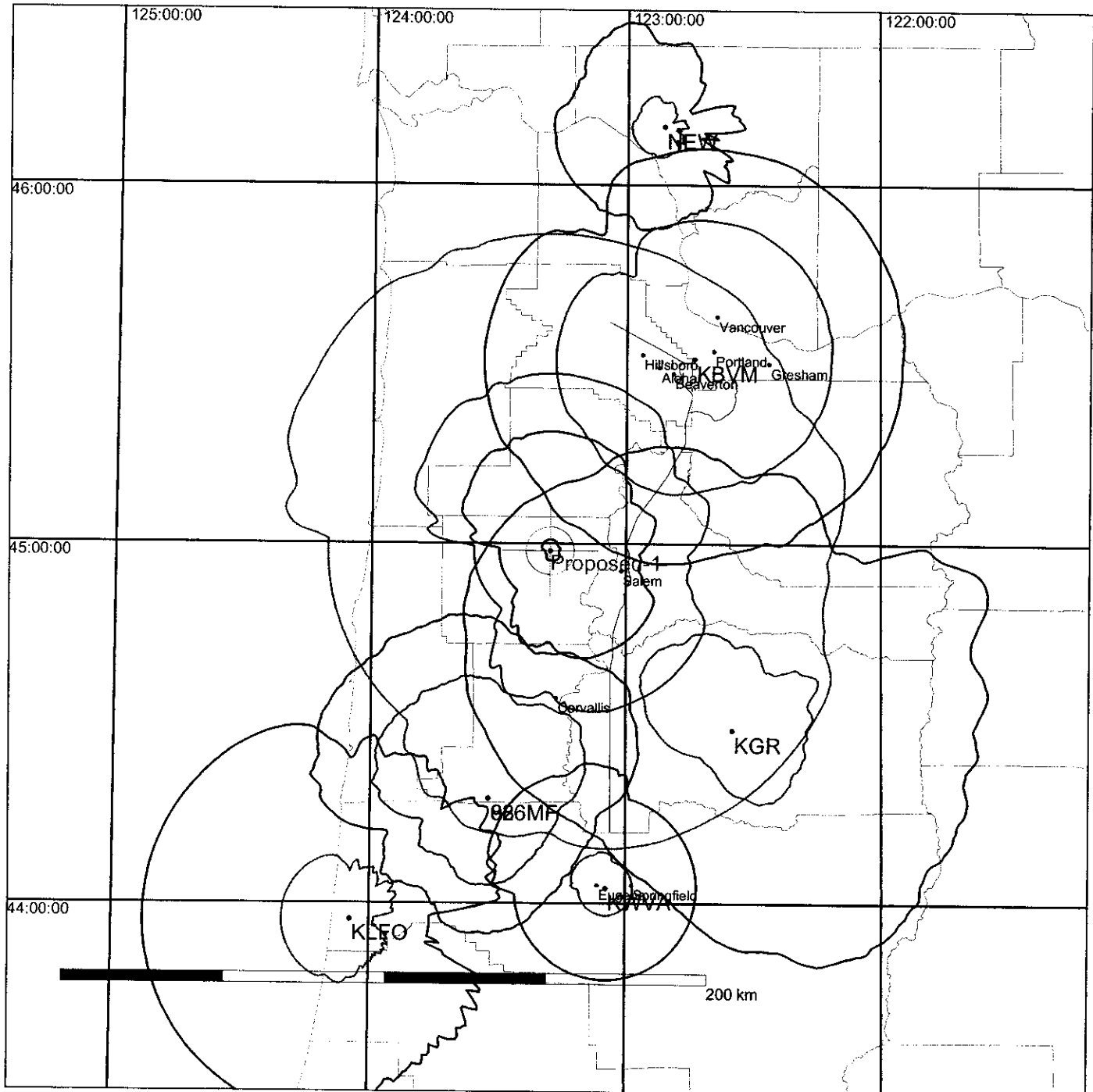
City Grade

Protected

Co-Channel

1st Adj

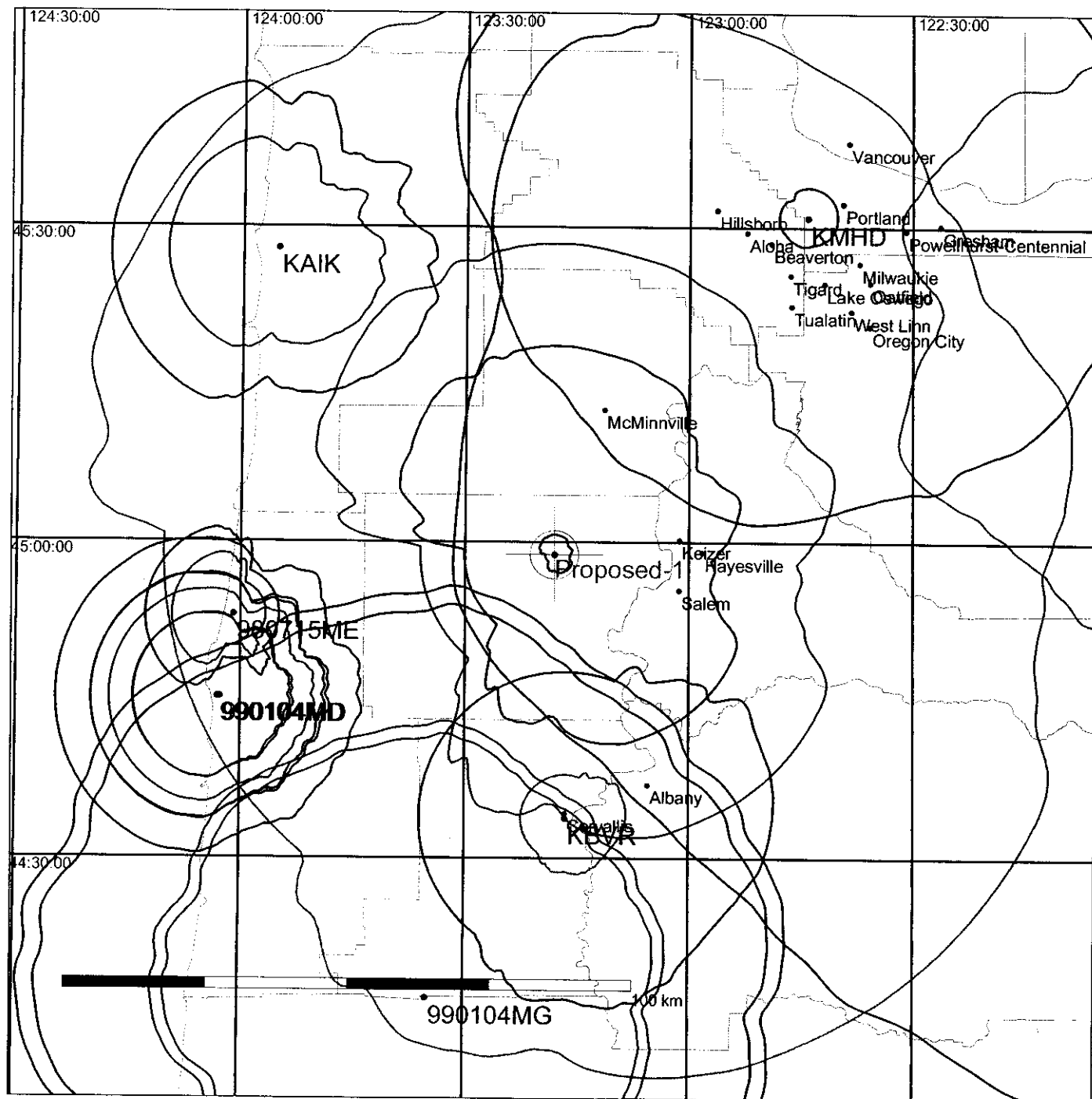
2nd/3rd Adj



## Contour Analysis EXHIBIT E204C

Brown Broadcast Services, Inc.  
Job: DALLAS 204C.fmj  
Master Database: 2003\_Nov\_18.fmd  
Lat: N44:58:49 Lon: W123:18:04 NAD-83  
Scale: 1:1000000  
Channel: 204 Class: C3  
Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved  
Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF  
Range: 0 km, Clearance: FCC  
Comments: No Comments  
Description:

rfInvestigator-FM Version 2.0.116  
by rfSoftware, Inc.  
Date: 11/20/2003 10:23:06 PM  
Key:  
City Grade  
Protected  
  
1st Adj  
2nd/3rd Adj



## Contour Analysis EXHIBIT E209C

Brown Broadcast Services, Inc.

Job: DALLAS 209C.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W123:18:00 NAD-27

Scale: 1:1750000

Channel: 209 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/20/2003 10:43:31 PM

Key:

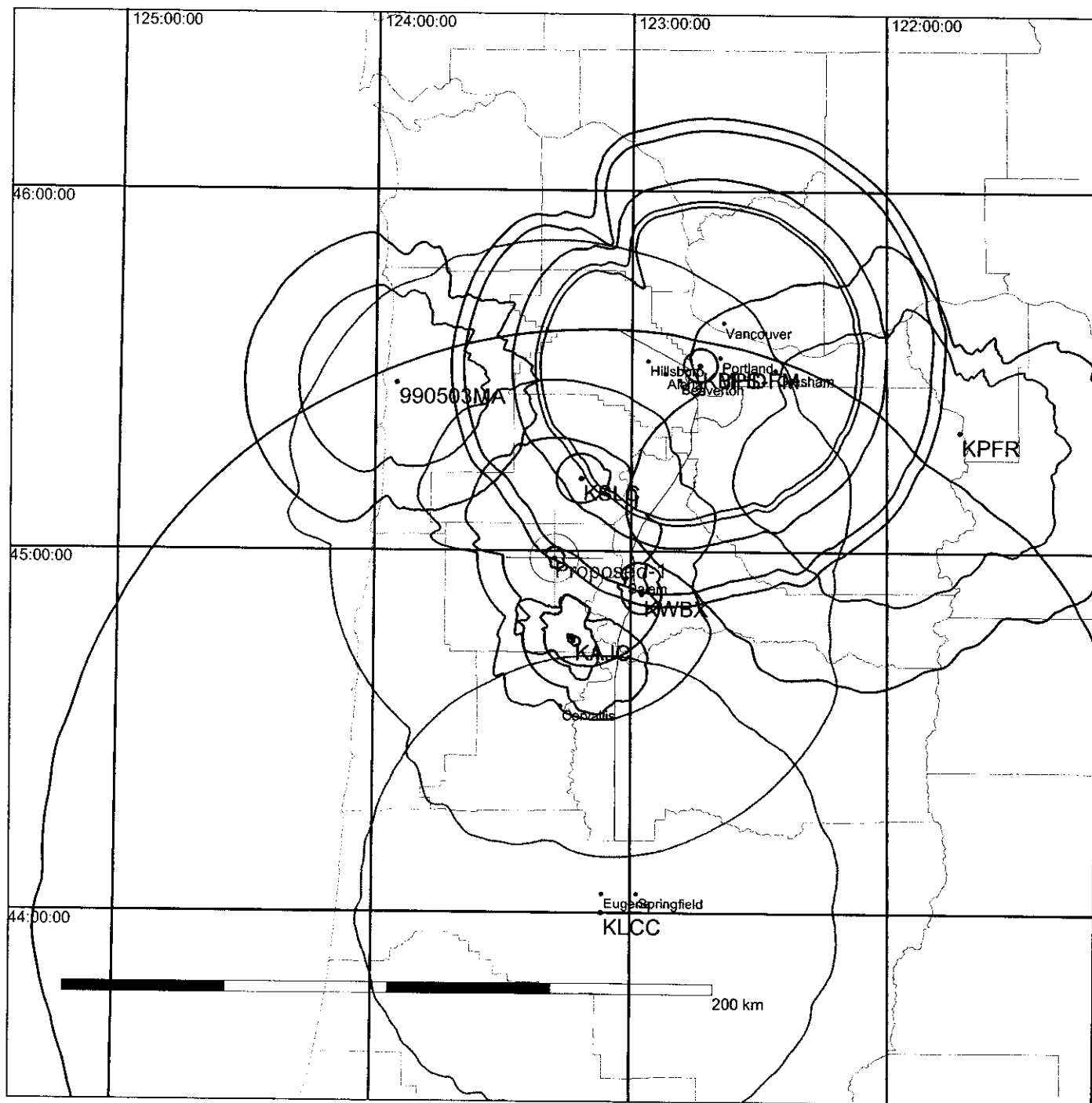
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj





## Contour Analysis EXHIBIT E216C

Brown Broadcast Services, Inc.

Job: DALLAS 216C.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W123:18:00 NAD-27

Scale: 1:1750000

Channel: 216 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/20/2003 10:49:07 PM

Key:

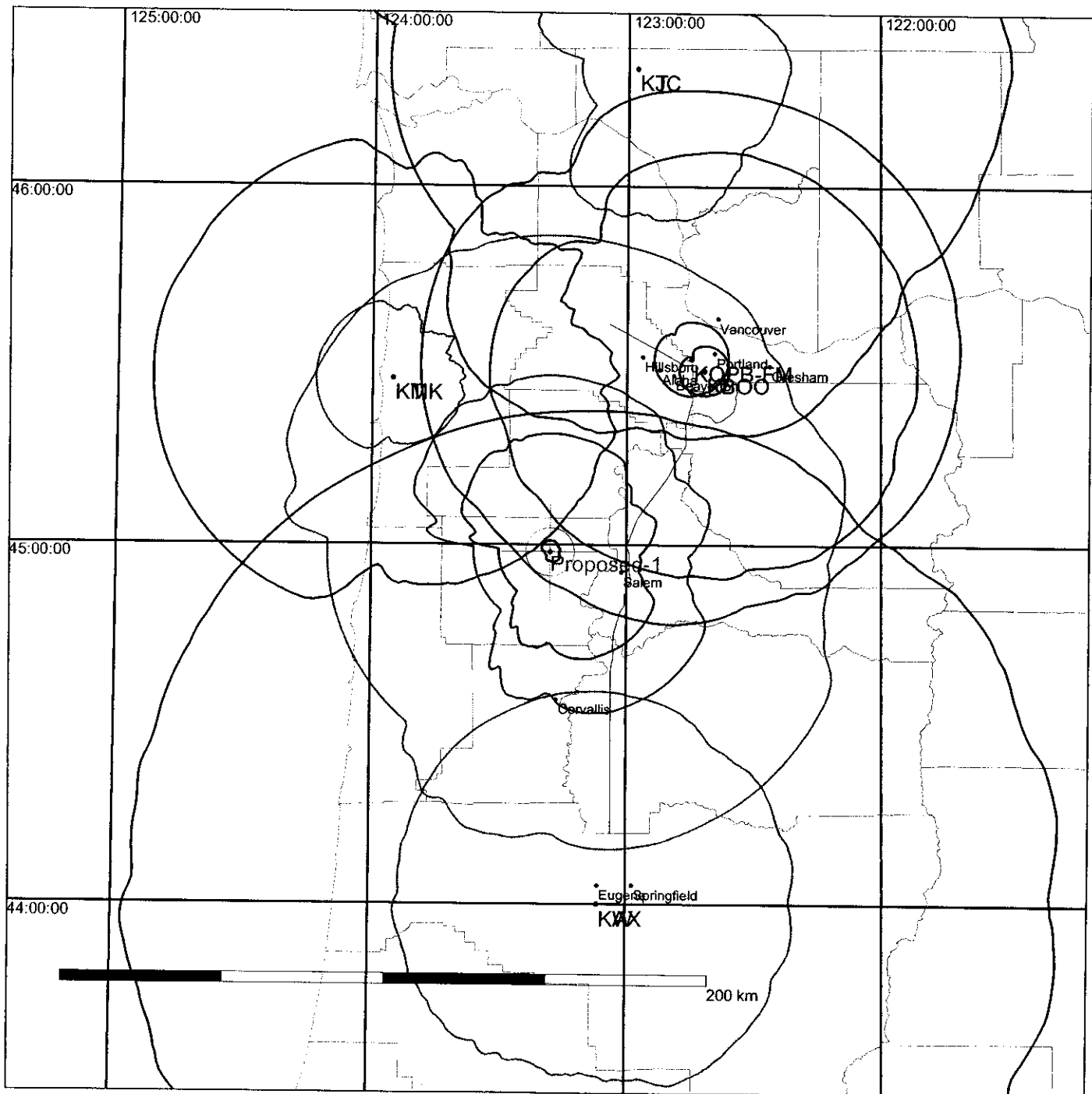
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E201N

Brown Broadcast Services, Inc.

Job: DALLAS 201N.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N45:19:24 Lon: W123:18:00 NAD-27

Scale: 1:2000000

Channel: 201 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

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by rfSoftware, Inc.

Date: 11/20/2003 11:36:11 PM

Key:

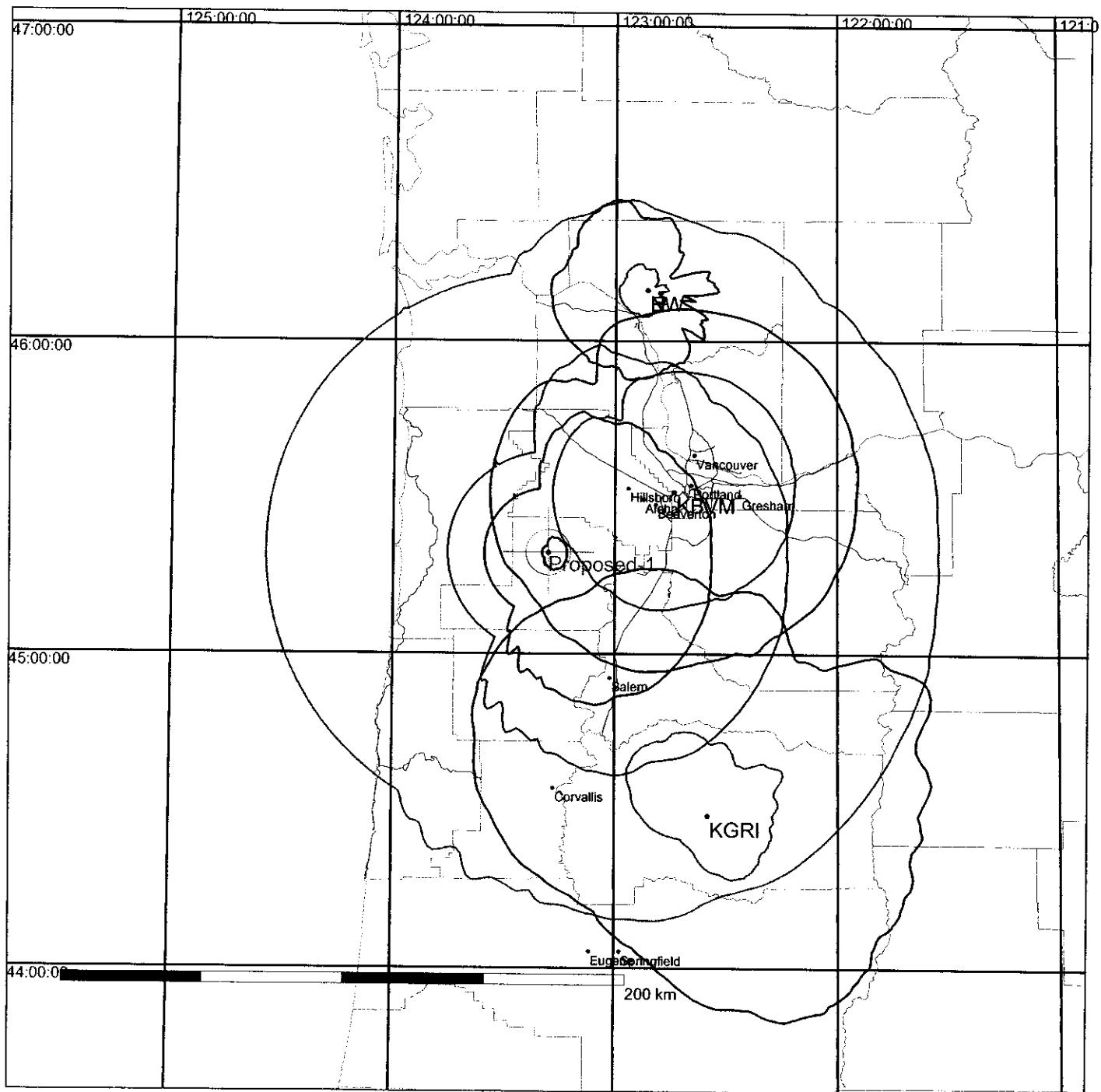
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E208N

Brown Broadcast Services, Inc.

Job: DALLAS 208N.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N45:19:24 Lon: W123:18:00 NAD-27

Scale: 1:2000000

Channel: 208 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/20/2003 11:44:30 PM

Key:

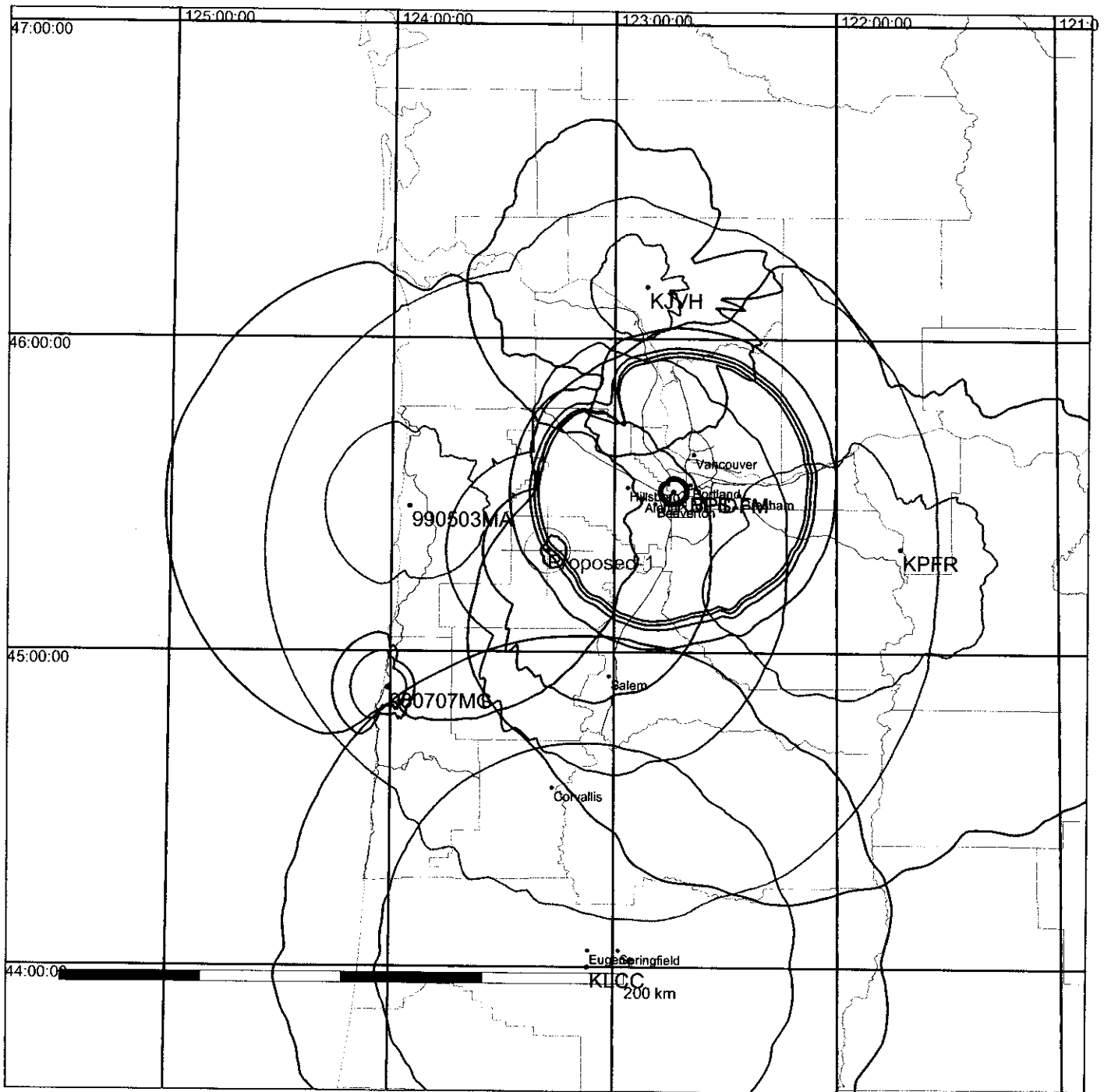
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E216N

Brown Broadcast Services, Inc.

Job: DALLAS 208N.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N45:19:24 Lon: W123:18:00 NAD-27

Scale: 1:2000000

Channel: 216 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/20/2003 11:48:01 PM

Key:

City Grade

Protected

Co-Channel

1st Adj

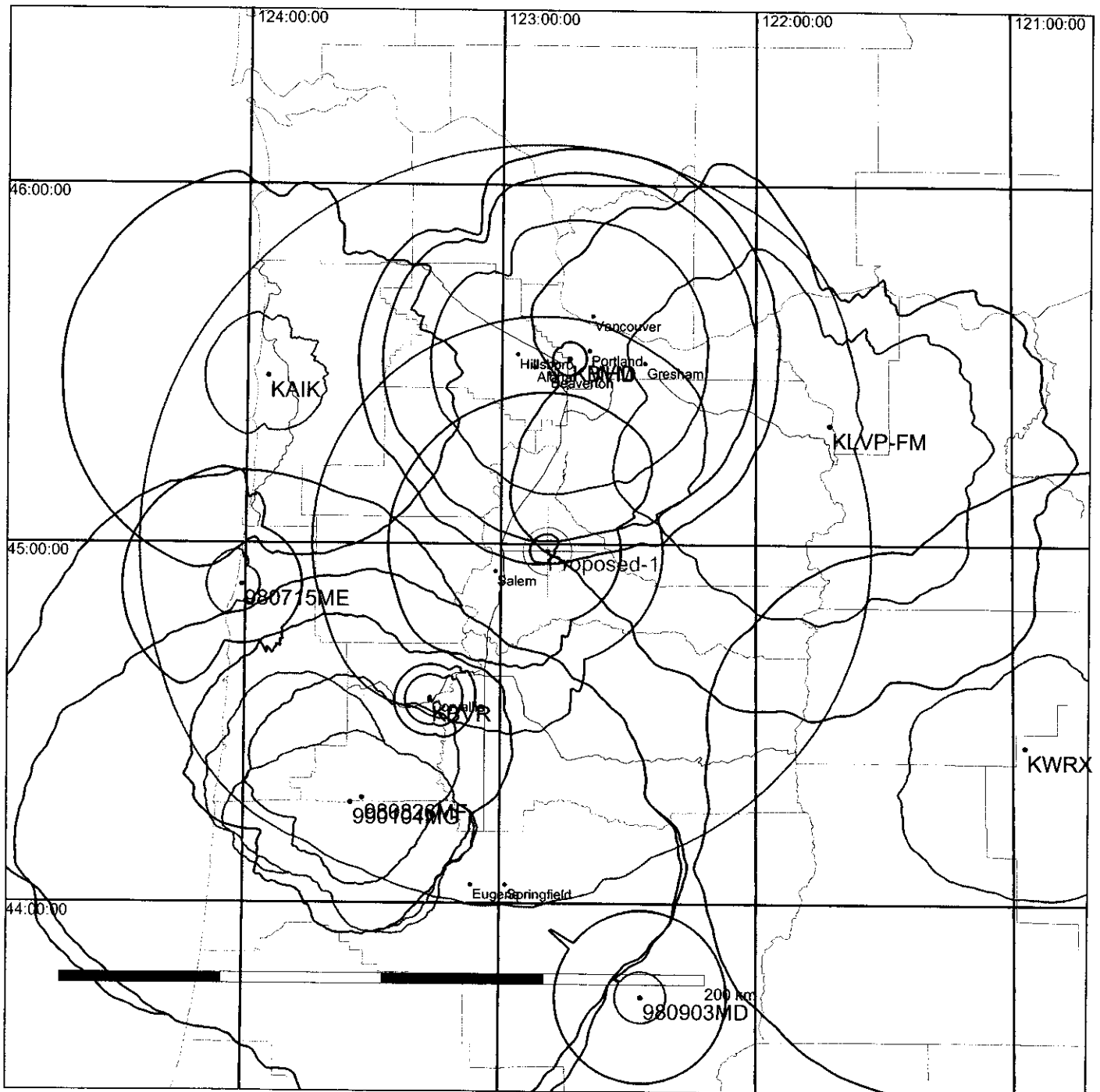
2nd/3rd Adj



## Contour Analysis EXHIBIT E203E

Brown Broadcast Services, Inc.  
Job: DALLAS 203E.fmj  
Master Database: 2003\_Nov\_18.fmd  
Lat: N44:58:50 Lon: W122:49:01 NAD-27  
Scale: 1:1750000  
Channel: 203 Class: C3  
Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved  
Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF  
Range: 0 km, Clearance: -0.5km  
Comments: No Comments  
Description:

rfInvestigator-FM Version 2.0.116  
by rfSoftware, Inc.  
Date: 11/21/2003 12:05:51 AM  
Key:  
City Grade  
Protected  
Co-Channel  
1st Adj  
2nd/3rd Adj



## Contour Analysis EXHIBIT E214E

Brown Broadcast Services, Inc.

Job: DALLAS 214E.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W122:49:01 NAD-27

Scale: 1:1750000

Channel: 214 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 12:13:57 AM

Key:

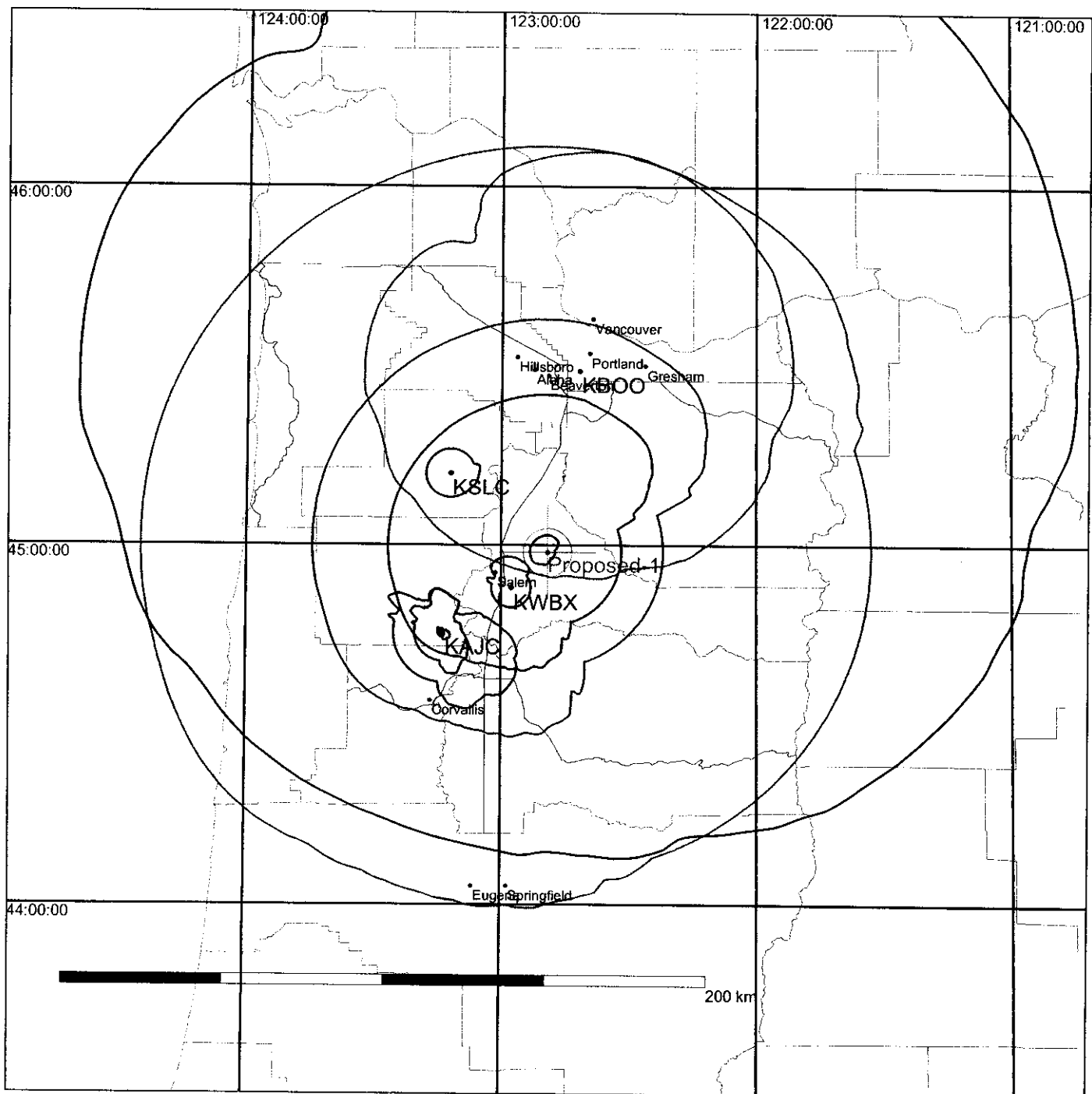
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E216E

Brown Broadcast Services, Inc.

Job: DALLAS 216E.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W122:49:01 NAD-27

Scale: 1:1750000

Channel: 216 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 12:16:46 AM

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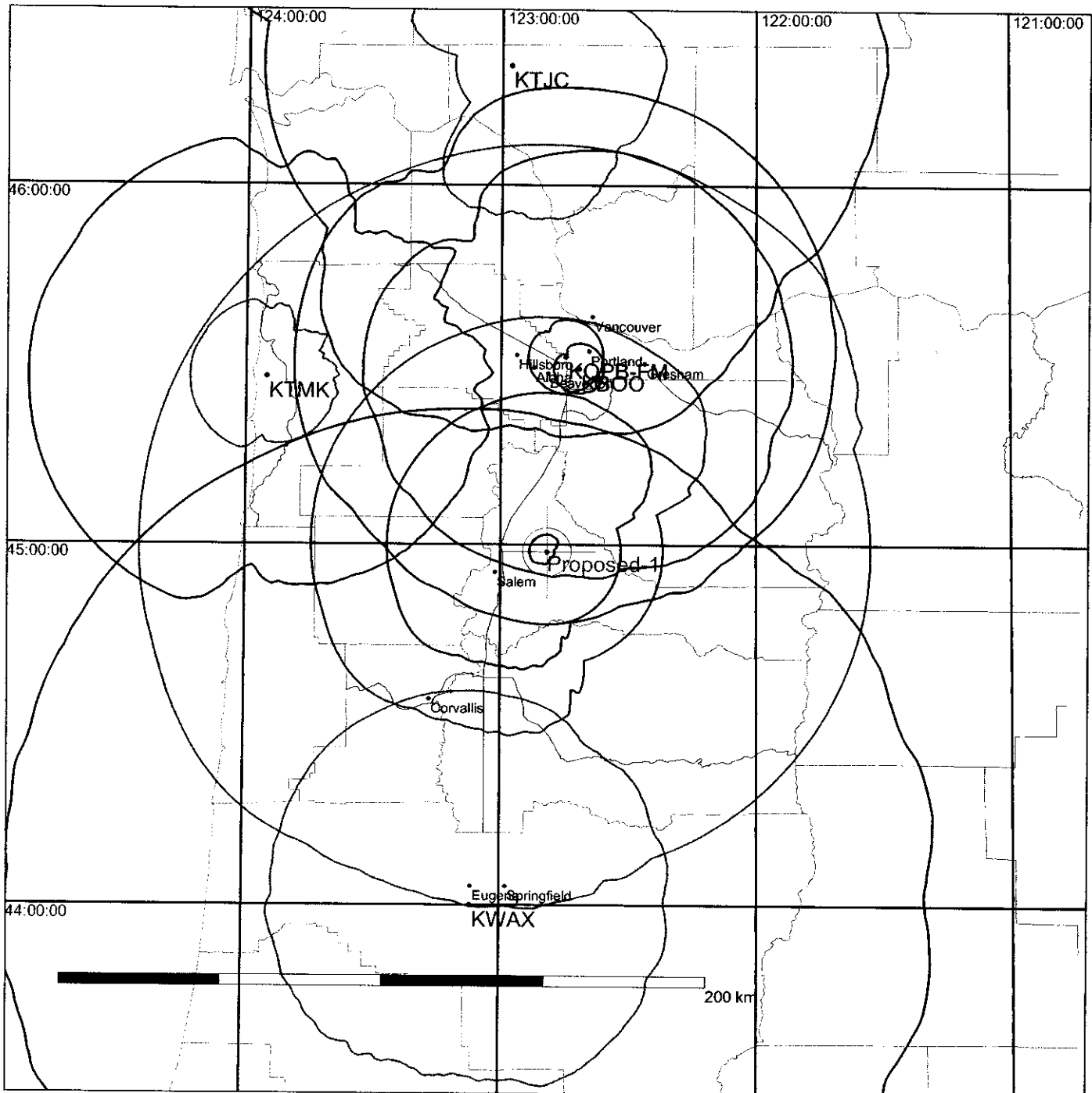
City Grade

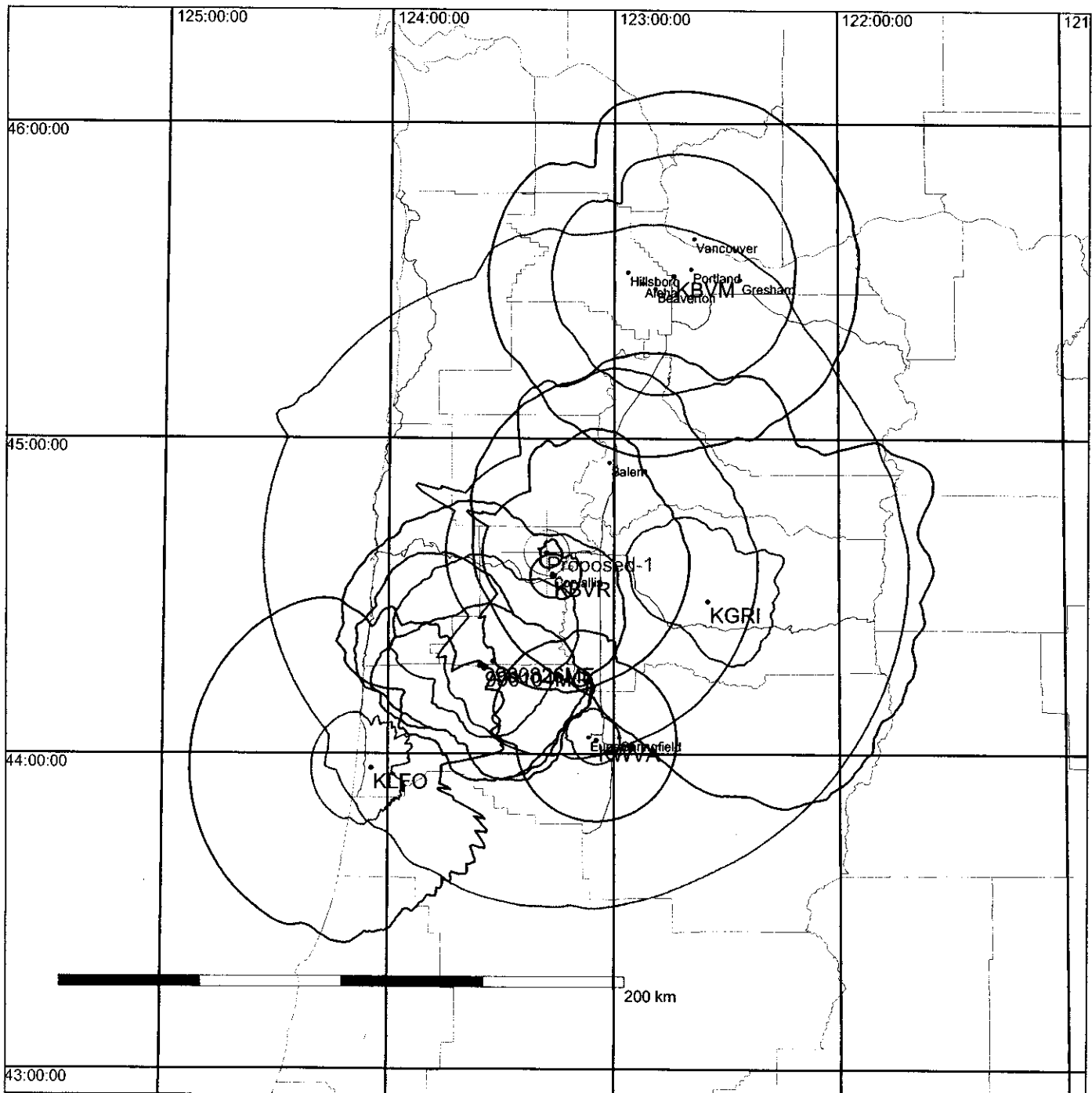
Protected

Co-Channel

1st Adj

2nd/3rd Adj







## Contour Analysis EXHIBIT E208S

Brown Broadcast Services, Inc.

Job: DALLAS 208S.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:38:15 Lon: W123:18:00 NAD-27

Scale: 1:2000000

Channel: 208 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 12:35:54 AM

Key:

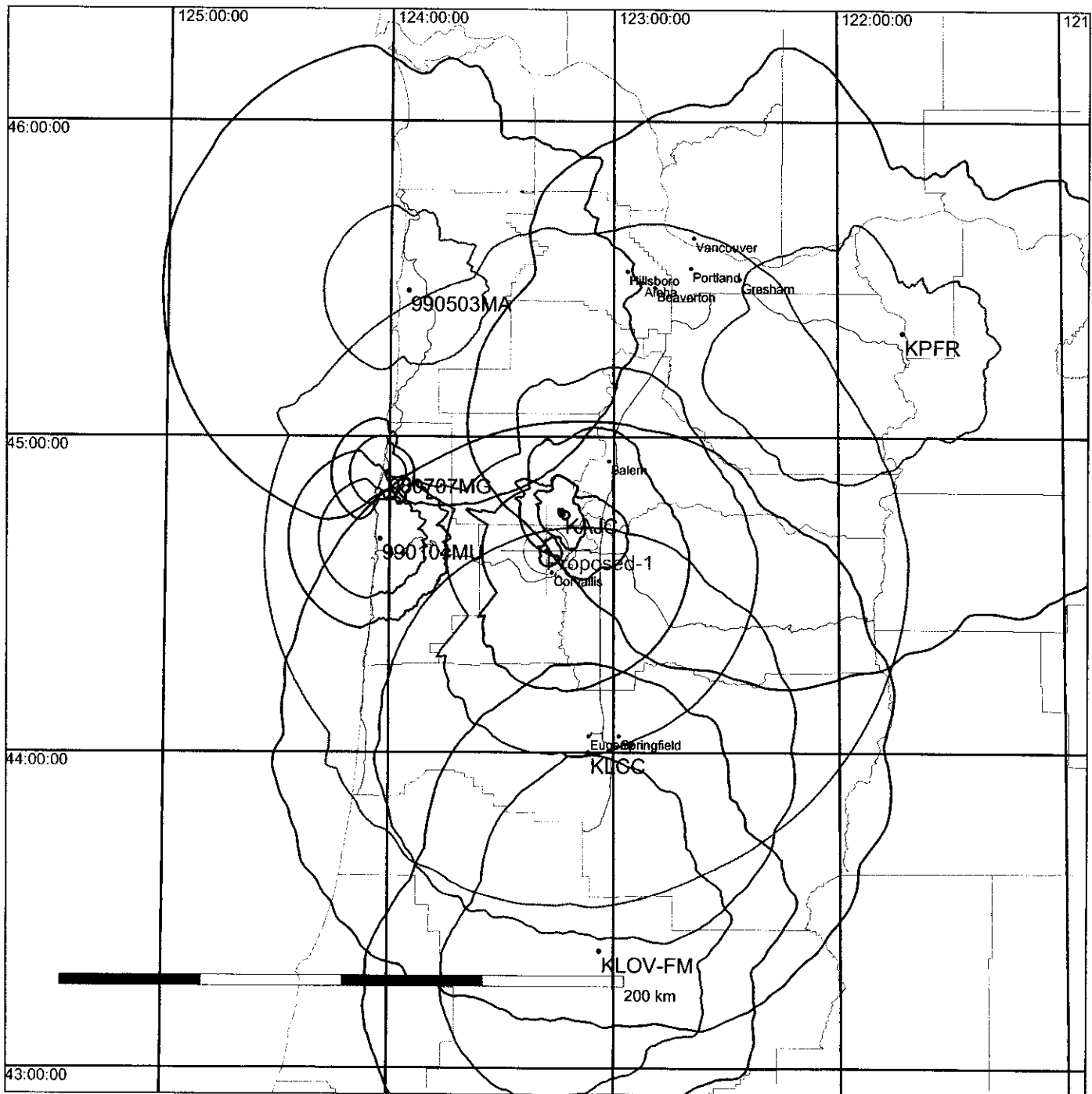
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E215S

Brown Broadcast Services, Inc.

Job: DALLAS 215S.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:38:15 Lon: W123:18:00 NAD-27

Scale: 1:2000000

Channel: 215 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 12:40:13 AM

Key:

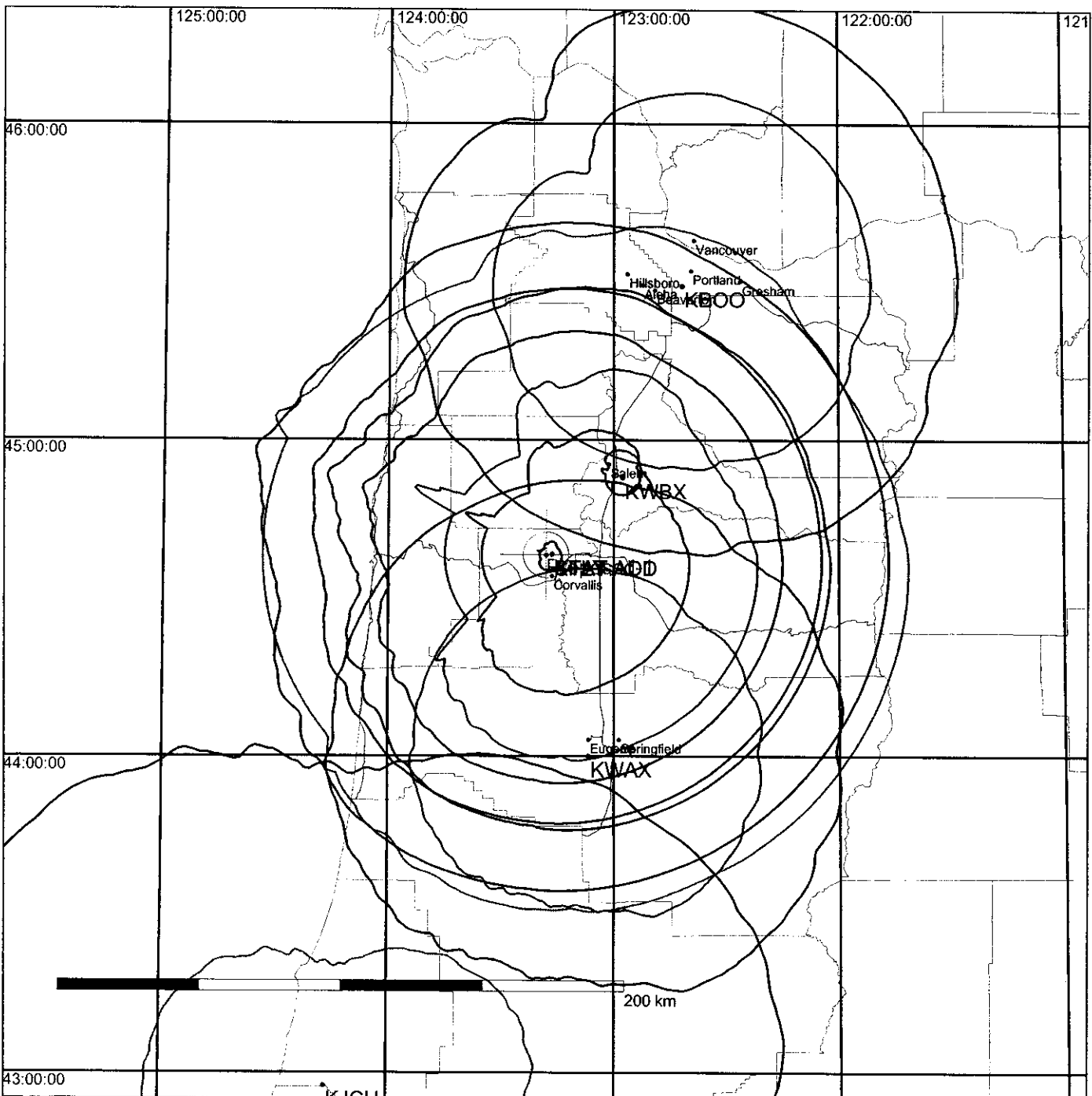
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E219S

Brown Broadcast Services, Inc.

Job: DALLAS 219S.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:38:15 Lon: W123:18:00 NAD-27

Scale: 1:2000000

Channel: 219 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 12:45:06 AM

Key:

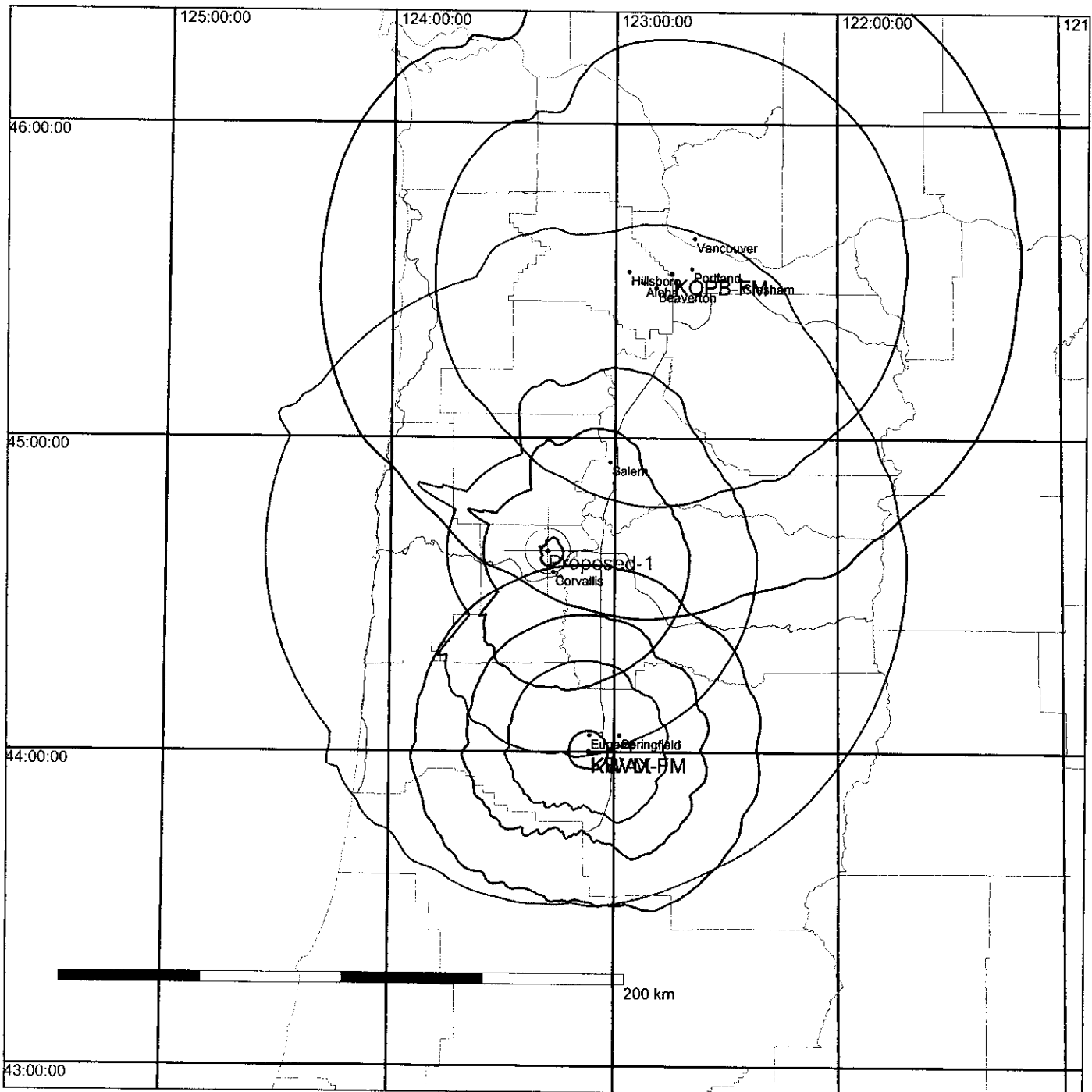
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHBIT E201W

Brown Broadcast Services, Inc.

Job: DALLAS 201W.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W123:46:59 NAD-27

Scale: 1:2000000

Channel: 201 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 12:51:24 AM

Key:

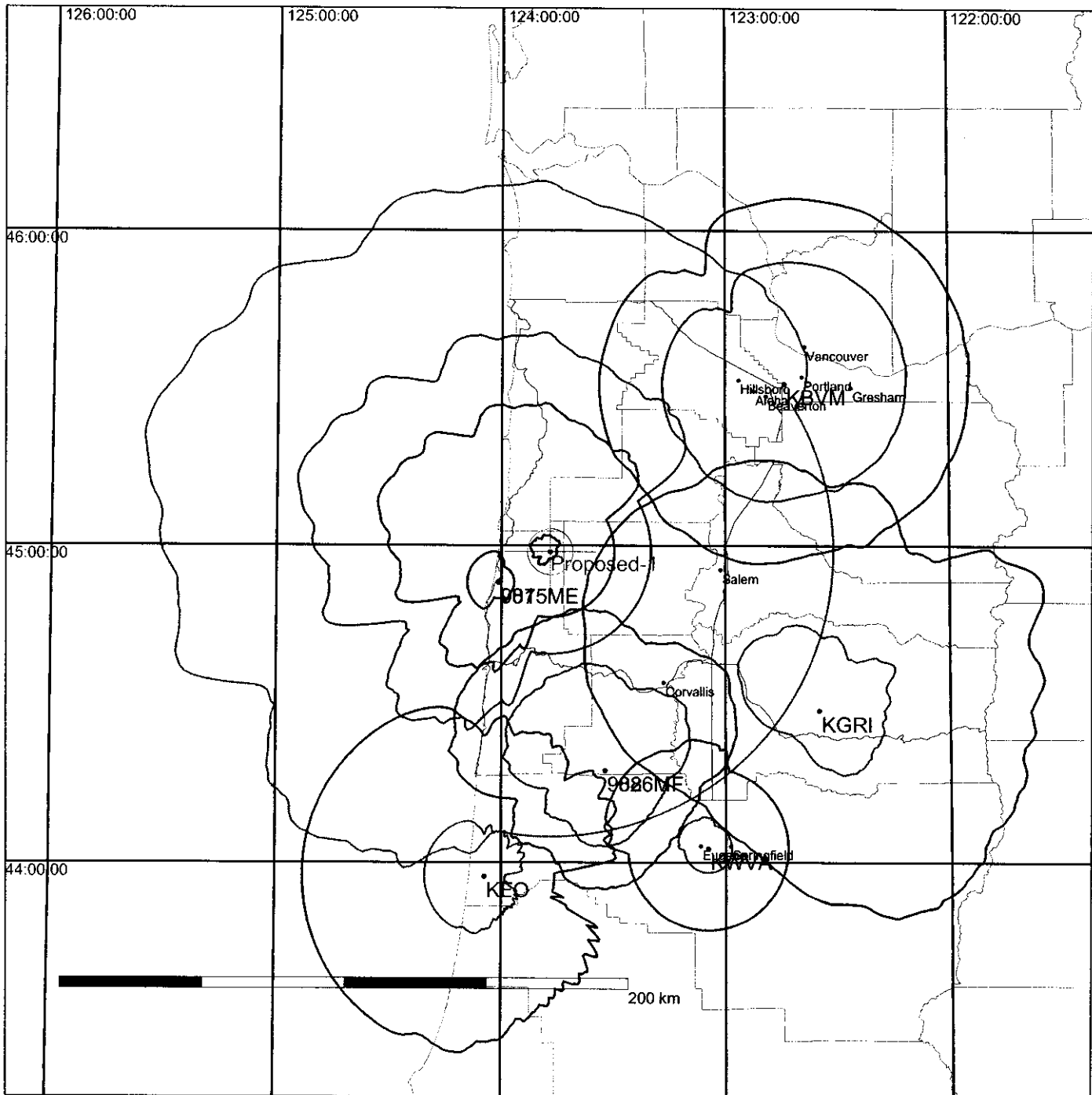
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E206W

Brown Broadcast Services, Inc.

Job: DALLAS 206W.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W123:46:59 NAD-27

Scale: 1:2000000

Channel: 206 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 12:55:37 AM

Key:

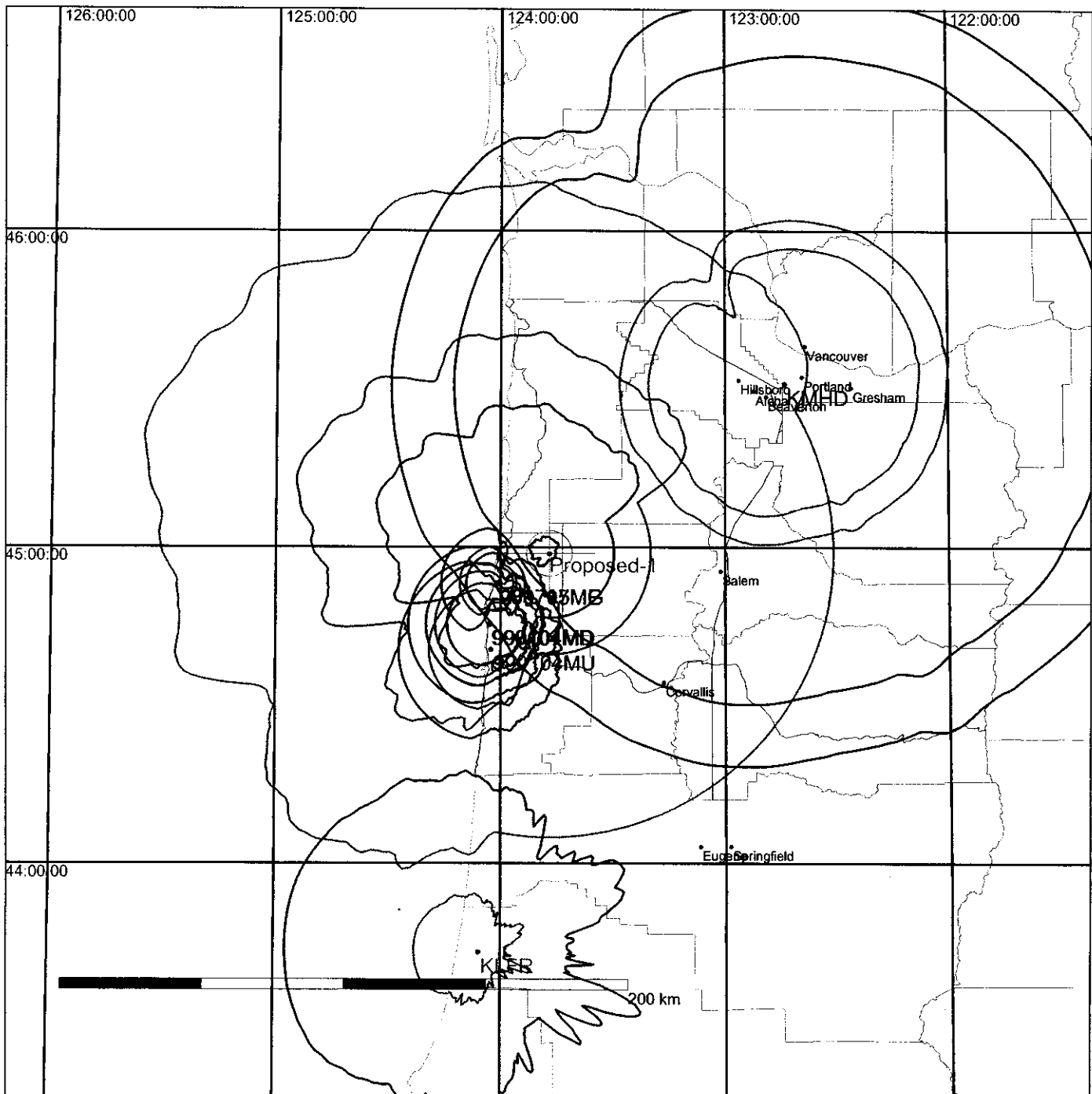
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



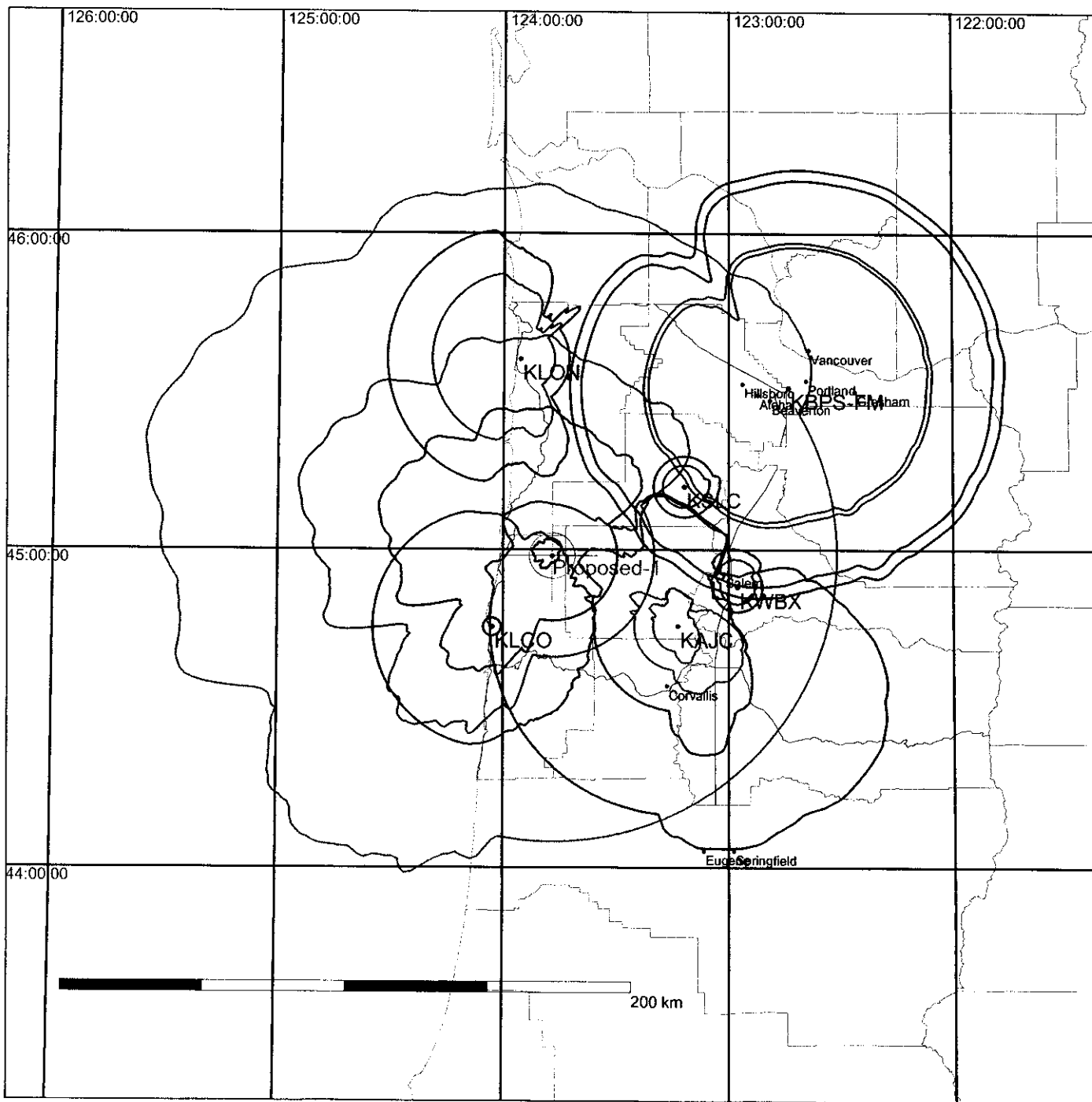
**Contour Analysis EXHIBIT E211W**

Brown Broadcast Services, Inc.  
Job: DALLAS 211W.fmj  
Master Database: 2003\_Nov\_18.fmd  
Lat: N44:58:50 Lon: W123:46:59 NAD-27  
Scale: 1:2000000  
Channel: 211 Class: C3  
Status: Licensed, Construction Permit, App  
Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd  
Range: 0 km, Clearance: -0.5km  
Comments: No Comments  
Description:

```

rfInvestigator-FM Version 2.0.116
by rfSoftware, Inc.
Date: 11/21/2003 12:59:12 AM
Key:
  City Grade
  Protected
  Co-Channel
  1st Adj
  2nd/3rd Adj

```



## Contour Analysis EXHIBIT E217W

Brown Broadcast Services, Inc.

Job: DALLAS 217W.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W123:46:59 NAD-27

Scale: 1:2000000

Channel: 217 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 0 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 1:02:50 AM

Key:

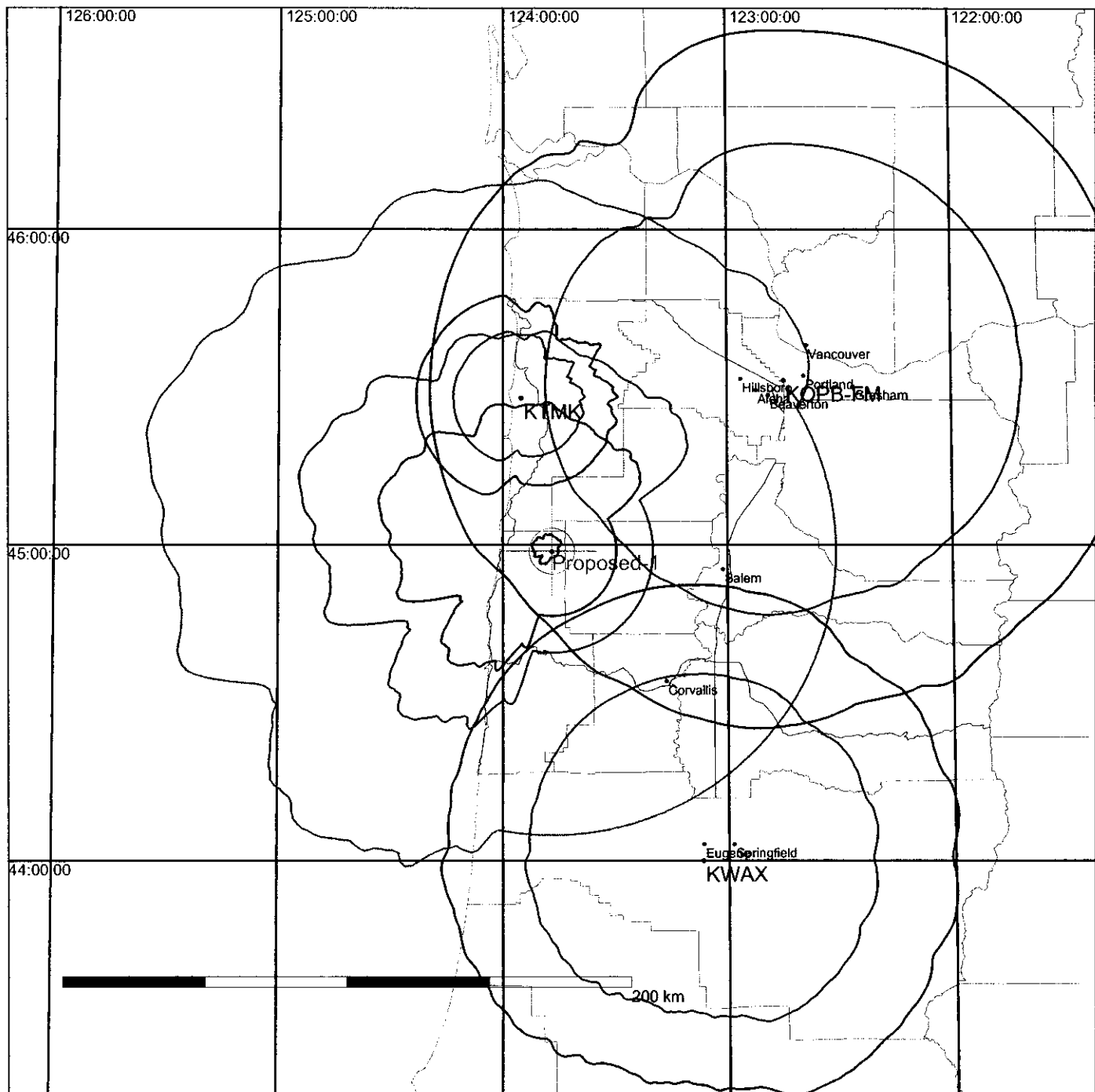
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj



## Contour Analysis EXHIBIT E220W

Brown Broadcast Services, Inc.

Job: DALLAS 220W.fmj

Master Database: 2003\_Nov\_18.fmd

Lat: N44:58:50 Lon: W123:46:59 NAD-27

Scale: 1:2000000

Channel: 220 Class: C3

Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved

Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF

Range: 56 km, Clearance: -0.5km

Comments: No Comments

Description:

rfInvestigator-FM Version 2.0.116

by rfSoftware, Inc.

Date: 11/21/2003 1:10:52 AM

Key:

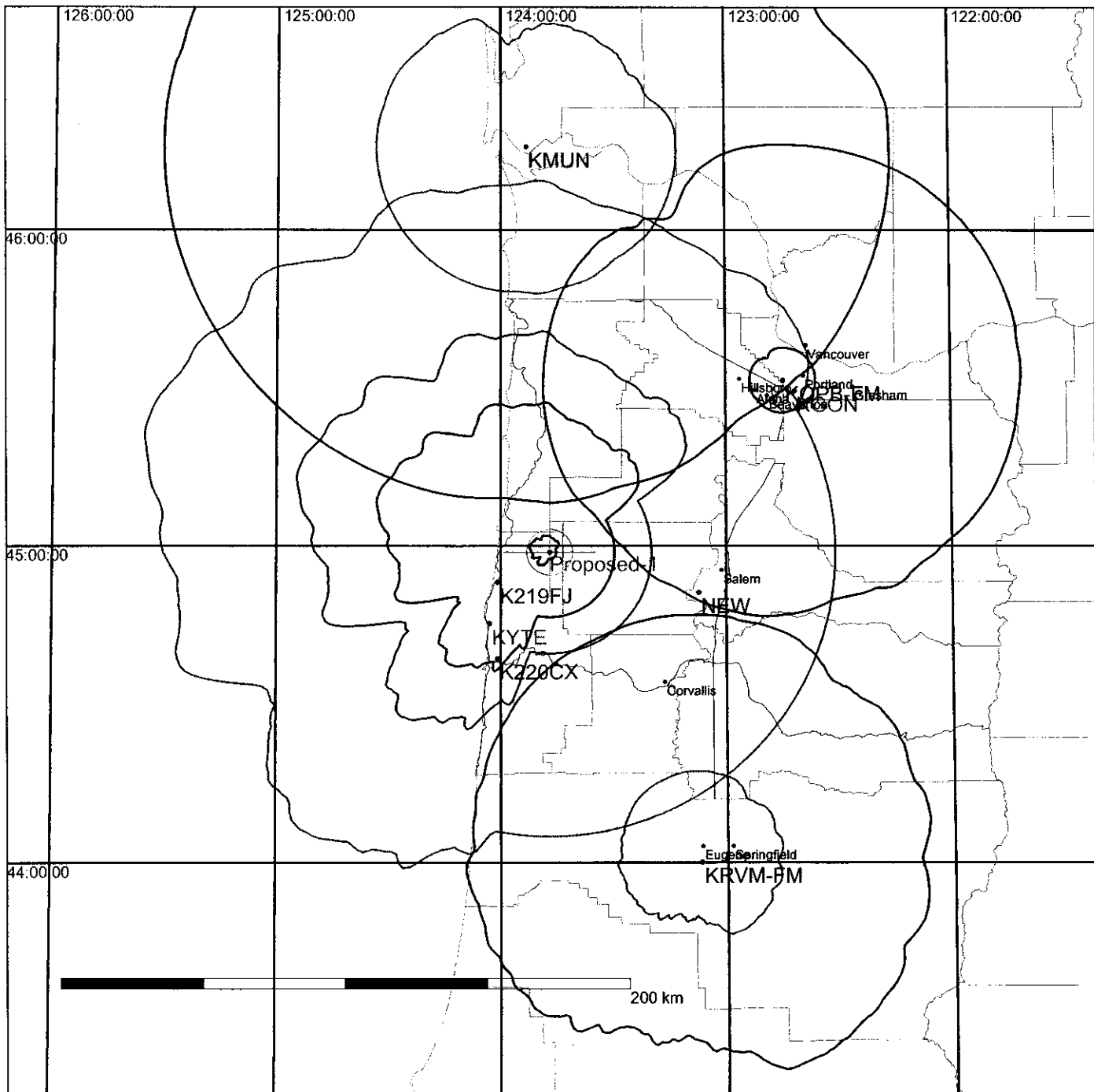
City Grade

Protected

Co-Channel

1st Adj

2nd/3rd Adj





**Certificate of Service:**

I, Michael D. Brown, do certify that a copy of the foregoing Petition for Rulemaking was delivered by first-class mail, postage prepaid on this November 21, 2003, to the following:

Michael L. Mattson (original petitioner of Dallas 252C3 allocation)  
15740 May Road  
Dallas, Oregon 97338

Michael D. Brown

A handwritten signature in black ink, appearing to read "Michael D. Brown", with a long horizontal flourish extending to the right.